

### **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of April 20, 2004.

All of the Examiner's objections and rejections are traversed.

Reexamination and reconsideration are requested.

### **Applicants Request Acknowledgment of Supplemental IDS**

Applicants request that the Examiner acknowledge the supplemental Information Disclosure Statement submitted by Applicants on March 10, 2004. Applicants have enclosed a copy of this supplemental IDS for the Examiner to review. The IDS further discloses U.S. Patent No. 5,504,301A, U.S. Patent No. 6,216,354B1, and a European Search Report.

### **The Office Action**

Claims 23-31 remain in this application. Claims 1-22 have been canceled.

Claims 23-31 are allowable.

Claims 1-3, 6-11, and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Macken (U.S. Patent No. 4,458,133).

Claims 1-2, 6, 9-11, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Provancher (U.S. Patent No. 4,262,186).

Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macken.

### **Response to Statement of Reasons for Allowance**

Applicants gratefully acknowledge the Examiner's indication as to the allowance of claims 23-31 of the present application.

However, Applicants respectfully submit that the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance are only warranted in instances in which "The record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.14(e)(2001)). In the present case, Applicants believe that the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicants do not necessarily agree with the statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account Applicants' claimed invention as reflected in the specification and the Applicants' responses to the Examiner's office actions.

Therefore, while Applicants believe the claims are allowable, Applicants do not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

**CONCLUSION**

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 23-31) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

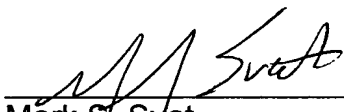
No additional fee is believed to be required for this Amendment After Final. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark S. Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

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4/22/04  
Date

  
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